

REMARKS/ARGUMENTS

Claims 1-20 are pending. Claim 7 has been amended to more particularly point out and distinctly claim Applicants' invention. Claim 21 has been added. Therefore, claims 1-21 are present for examination, and claims 1, 7, and 14 are the independent claims. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

The Office Action has rejected claims 1-2, 4-5, 7-8, 10-11, 14-15 and 17-18 under 35 U.S.C. §102(e) as being anticipated by the cited portions of Guha et al., U.S. Patent 7,035,972 ("Guha"). The Office Action has rejected claims 3, 6, 9, 12, 13, 16, 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Guha.

35 U.S.C. §102(e) and §103 in View of Guha

The Office Action has rejected the claims under 35 U.S.C. §102(e) and 35 U.S.C. §103 as being anticipated or obvious, respectively, by the cited portions of Guha.

In regard to claim 1, it is noted that claim 1 recites the use of "logical units" For example, applicants' Fig. 1 illustrates logical unit 261 comprised of disks 271, 272, and 273. As a result, the controller turns on or off the power for all the disks in a particular logical unit. The Guha reference does not appear to address logical units. Rather, it speaks in terms of other disk drives but not in terms of other disk drives outside of the logical unit. Furthermore, it turns on a single disk and does not turn on all disks for a logical unit. Consequently, the cited reference fails to teach each and every element of the claim; because claim 1 addresses logical units. Furthermore, it is noted that through the use of such logical units, the Applicants' invention overcomes the need in Guha to backup data that begins on one disk and overlaps onto a second disk, such as the backup mechanism shown in Fig. 9 and at col. 14, lines 23-36 of Guha. By turning on all disks for a logical unit, the Applicants' system avoids the need for this backup system of Guha. Thus, claim 1 is in condition for allowance.

In regard to claims 7 and 14, the same rationale as noted for claim 1 also applies. All other claims depend from either claims 1, 7, or 14. Therefore, those dependent claims are in condition for allowance for at least the same reasons that claims 1, 7, and 14 are allowable.

New Claim

Claim 21 has been added as a new claim. Support for this new claim is found at least at page 6, line 26 to page 7, line 1; page 10, lines 10-16; page 12 lines 7-12.

Amendment to Claim 7

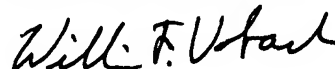
Claim 7 has been amended to clarify the claim language.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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